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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,602	03/25/2004	Yasuo Horiuchi	038850.53928US	5608

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EXAMINER	
KOSTAK, VICTOR R	
ART UNIT	PAPER NUMBER
2622	
MAIL DATE	DELIVERY MODE
04/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/808,602	HORIUCHI, YASUO	
	Examiner	Art Unit	
	Victor R. Kostak	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,8-10,14-17,21,29 and 30* is/are rejected.

7)☒ Claim(s) *5-7, 11-13, 18-20 and 22-28* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. Claim 30 is objected to because of the following informalities: the claim must end with a period. Appropriate correction is required.

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-4, 8, 29 and 30 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 and 11-13, respectively, of U.S. Patent No. 7,292,287.

Although the conflicting claims are not identical, they are not patentably distinct from each other because pending claim 1 is parallel to patented claim 1 differing in semantics, such as the term "mounted" is substituted by the term "placed." In addition, since patented claim 1 includes the feature of fixing bores being on the receded portion, patented claim 1 anticipates ending claim 1 as it is a more narrowly recited claim.

Patented claim 2 anticipates pending claim 2 because it recites more specific hook member fixing position language.

Patented claim 3 is identical to pending claim 3.

Patented claim 4 is more narrow than pending claim 4 and therefore anticipates that corresponding claim.

Also, patented claims 8, 29 and 30 are all more narrow than corresponding claims 11, 12 and 13, so therefore anticipate those three claims, respectively.

Applicant makes no mention of any related patents or applications in the specification or as any bibliographic data.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (Japanese 05-68220, provided by applicant) in view of Goodrich et al. (4,809,393).

Sato discloses, as applicant notes, mounts an electrical apparatus to a base in a fixed manner using a belt secured at both ends on respective apparatus and base units.

It would have been obvious to one of ordinary skill in the art to use any suitable means to secure the apparatus to the base such as by a insulated wire (which is both strong and unaffected by electricity), such as by the arrangement shown in Figs. 1 and 2 of Goodrich, who wraps his insulated cord around two opposing hook-like members. Such exhibits the tautness that would be considered by one of ordinary skill in the art in consideration of the Sato system, thereby meeting claims 2 and 29.

5. Claims 3, 8, 9, 14 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato and Goodrich, in view of Franklin (5,393,025).

As for claims 3, 8 and 30, it would have been obvious to one of ordinary skill in the art to consider including television accessories such as a VCR or DVD player to extend the source options to the viewer. Therefore, when arranging the plural units is a typical stack fashion, fixing them by the means mentioned above would have been obvious for the same reason, that is, to keep them in place.

As for claims 9 and 14, hook members (as shown by Goodrich) would accordingly be located on each unit wherein the cord would be wrapped in a taut manner.

6. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato, Goodrich and Franklin, in view of Ishii et al. (5,710,600).

Ishii (noting Figs. 5 and 6) wraps an insulated wire connected to (a first electrical apparatus) around the base of a second electrical apparatus, the position of the cord endpoint being fixedly attached on the base as well.

As disclosed by Ishii, it would have been obvious to one of ordinary skill in the art to locate the lower hook in an area that is not obtrusive or protruding from the bask of the lower appliance, to keep it out of the way, and which may save space of the dual appliance system.

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato and Goodrich, in view of Stone et al. (6,597,567).

It would also have been obvious to include recesses on the top of an electrical appliance to receive feet (or legs) of another applicant, as is taught by Stone (Figs. 1, 3), for the benefit of keeping the units from sliding away from each other.

8. Claims 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato, Goodrich, Franklin, in view of Stone et al.

As noted above, it would have been obvious to include recesses on the top of an electrical appliance to receive feet (or legs) of another applicant, as is taught by Stone (Figs. 1, 3), for the benefit of keeping the units from sliding away from each other.

9. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato, Goodrich, Franklin and Ishii, in view of Stone.

Again, it would have been obvious to include recesses on the top of an electrical appliance to receive feet (or legs) of another applicant, as is taught by Stone (Figs. 1, 3), for the benefit of keeping the units from sliding away from each other.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Claims 5-7, 11-13, 18-20 and 22-28 appear allowable over the prior art.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is (571) 272-7348. The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David W. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Or faxed to:

(571) 273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (703) 308-HELP.

/Victor R. Kostak/
Primary Examiner
Art Unit 2622

VRK